

At a special meeting of the Counsellors of the Massachusetts Medical Society, held in Boston, on the 4th of October, 1848, the Report of the Committee appointed to arrange the By-laws, in conformity with the proposed alterations in the By-laws and Charter, having been presented, it was —

Voted, That the Report be recommitted, with instructions to make any further needful revision; and that it be printed as revised, and distributed to the Counsellors; and that the Report be made at an adjourned meeting, to be held on the first Wednesday in December.

## BY-LAWS OF THE MASSACHUSETTS MEDICAL SOCIETY.

I. A meeting of the fellows of this society shall be held on the third Wednesday in June, annually, at 10 o'clock, A.M. in such one of the principal towns or cities of the commonwealth as the counsellors shall, from year to year, determine; and at such place, in said city or town, as the anniversary chairman shall appoint.

II. Any fellow of the society, or counsellor, absent from any meeting where he is entitled to vote, may, in all cases, vote by his proxy, duly authorized in writing; provided that no fellow shall be represented by any other than a fellow, and no counsellor by any other than a counsellor, who shall, in either case, be inhabitants of the same district; and no fellow or counsellor shall at any time represent the votes of more than eight others.

III. Every fellow of the society shall be assessed annually three dollars, one-third of which may be retained by the treasurer of the district society, provided the collection is made by him, and the remainder forwarded to the treasurer of the society.

IV. No fellow shall withdraw himself from the society, or resign his fellowship, while a practitioner of medicine or surgery within this commonwealth, without the permission of the counsellors, who may give this permission to any fellow who applies for the same, and gives satisfactory reasons in writing.

V. Those fellows who have arrived at the age of sixty years, and have notified the treasurer of the society of the same in writing, having paid all their assessments, or having been excused from the same, may become retired members. They shall be entitled to all the privileges of the fellows, and shall conform to all the requirements of the society, and be subject to all its penalties, except that they shall not be liable to assessments, and shall not be bound to accept any office in the society.

VI. Any fellow may be expelled from the society, or, having resigned his fellowship, may be deprived of his privileges, by a vote of two-thirds of the fellows present at any annual meeting, upon charges of the following description; provided the charge or charges against him have first been considered by the counsellors, and are brought forward by them, or have been made before the society at a preceding annual meeting; and provided he has had opportunity given him to lay before the society a refutation of the charge or charges so made, or a defence of his conduct in the premises, *viz.* : —

1. For any gross and notorious immorality or infamous crime under the laws of the land.
2. For any attempt to overturn or destroy the society.
3. For the breach of any by-laws of the society, for which expulsion is made the penalty.
4. For furnishing to any person, or presenting in his own behalf, a certificate in respect to character and studies as a student of medicine, if the same be proved to be false, and shall tend to deceive the public, or the censors of this society.

VII. Any person who is engaged in the practice of medicine or surgery in this commonwealth, not having received a regular medical education, shall be deemed by the fellows of this society an irregular practitioner; likewise, any one who has been expelled from this society, or who, after being permitted to resign his fellowship, has been deprived of his privileges, or who has withdrawn himself from the society without the permission of the counsellors, shall be deemed by the fellows of this society an irregular practitioner; and it shall be unlawful for any fellow of this society, in his professional capacity, to advise or consult with any such irregular practitioner, or in any way to abet or assist him as a practitioner of medicine or surgery. For any breach of this law, a fellow of this society shall be disqualified for one year from giving his vote at any meeting of the society, or of the district society of which he may be a member. He shall also be liable to the censure and reprimand of the counsellors, and, in aggravated cases, to expulsion.

VIII. If any fellow of this society shall publicly advertise for sale any medicine, the composition of which he keeps a secret, or shall in like manner offer to cure any disease by any such secret medicine, he shall be liable to expulsion, or to such other penalty as the society, at their annual meeting, may think proper to inflict.

#### OF THE COUNSELLORS.

IX. The counsellors shall be chosen by the district societies, at least one week before the annual meeting of the society; — each district society choosing from among the fellows residing in that district, as nearly as may be in the proportion of one counsellor to every eight fellows; provided that at least one counsellor shall be elected from each county.

X. There shall be three stated meetings of the counsellors annually. The first, which shall be the annual meeting, shall be on the day preceding the annual meeting of the society, and in the same city or town in which the meeting of the society is to be held. The second meeting shall be on the first Wednesday in October, and the third on the first Wednesday of February, in the city of Boston, at such time and place as the president shall appoint. Notice of each meeting shall be given in two public papers printed in the city of Boston; also notice of the annual meeting in some paper printed within the district in which the meeting is to be held, at least fourteen days previously in each instance.

XI. The president may call a special meeting of the counsellors, whenever he shall deem it expedient, or whenever five of the counsellors may request it in writing. The same notice shall be given of a special meeting as is required for a stated meeting; except that, in any peculiar case not admitting of delay, the president, with the consent of five counsellors, may call a special meeting of the counsellors at such notice as the circumstances may permit.

XII. Any meeting of the counsellors may be continued by adjournment, by a vote of the majority of the counsellors present; and, in all meetings of the counsellors, nine shall be present to constitute a quorum for the transaction of business; but a smaller number may adjourn the meeting to any day within one week.

XIII. At the annual meeting of the counsellors, they shall choose by ballot, from among the persons elected counsellors, the following officers of the society; viz. a president, vice-president, corresponding secretary, recording secretary, treasurer, and librarian; and all officers, so chosen, shall hold their respective offices for the ensuing year, and until others are chosen in their stead.

XIV. Nominations of candidates for election as honorary members of the society shall be made to the counsellors by one or more of the fellows. Every candidate as honorary member shall have been on nomination at least three months before he can be balloted for. The counsellors shall, at every stated meeting, examine and act upon the list of nominations, if any such there be.

XV. Every person elected or admitted a fellow of this society shall be entitled to a diploma, in the form following, viz. :—

[USUAL FORM.]

XVI. The counsellors, at a stated meeting, shall appoint some fellow to deliver, at the annual meeting, a discourse on some subject connected with medical science; and, in case the person thus appointed shall decline the service, the president, with five counsellors, may appoint another in his stead. A copy of every such discourse shall be deposited with the corresponding secretary, within three months after it has been delivered.

XVII. The president shall call all meetings of the society and of the counsellors; shall preside at the same, except at the anniversary; shall regulate the debates,—state and put questions; in case of an equal division on any question, have a casting vote; call for reports of committees, and enforce at these meetings an observance of the by-laws, rules, and orders; and shall perform such other duties as may be assigned to him.

XVIII. In the absence of the president at any meeting of the society or of the counsellors, his duties shall devolve on the vice-president, and, in the absence of both the president and vice-president, on the senior president of a district society present. In case of the death, disability, absence from the commonwealth, or resignation of the president, all the duties of his office shall be performed by the vice-president.

XIX. The corresponding secretary shall have the charge and custody of all letters and communications transmitted to the society or to the counsellors; and to him they should be addressed. He shall prepare and transmit answers to correspondents in such language and form as the society and counsellors respectively may direct. He may cause letters or communications, written in any foreign language, to be translated into English. He shall report, at each stated meeting of the counsellors, the names of all persons who have become fellows since the preceding meeting. On or before the first of May annually, he shall transmit to the treasurer of the society a correct list of all who have become fellows of the society during the year; and he shall perform such other duties as may be assigned to him.

XX. The recording secretary shall keep the seal of the society; and he shall have charge and custody of the records of the society and of the counsellors, and of all papers directed by them to be kept on his files. He shall notify and attend the meetings of the society and of the counsellors; keep a fair record of their proceedings respectively; and read, at the meetings of the society, all such communications as the counsellors may direct to be made. He shall receive and record the nominations for election of honorary members into the society, and lay them before the counsellors at each stated meeting. He shall notify the chairman of every committee appointed by the society or counsellors, in each case stating the commission and the names of the committee; and he shall perform such other duties as may be assigned to him.

XXI. If, at any meeting of the society or the counsellors, one of the secretaries be absent, and the other present, the latter shall perform the services of both, so far as may be; but, as soon as possible, he shall arrange, and deliver over to the absent secretary, the papers belonging to his department, with a copy of records or orders, as the case may be.

XXII. The records of the society and of the counsellors shall be produced at every anniversary meeting of the society, and placed by the secretaries in some convenient place for the inspection of such of the fellows as are desirous of consulting them; and, at all other times, it shall be the duty of the several secretaries to grant every reasonable indulgence to every fellow of the society who may wish to examine the records.

XXIII. The treasurer shall give security for the trust reposed in him, whenever the counsellors shall judge it to be requisite, and the funds of the society will admit of a compensation for his services. He shall demand and receive all money due to the society, together with all bequests and donations. He shall, if necessary, sue for all fines and assessments due to the society. He shall, under the direction of the counsellors, sell or lease any estate belonging to the society, and execute the necessary papers. He shall, in general, have the care and management of the fiscal concerns of the society, and keep an accurate statement of all receipts and expenditures. He shall examine all accounts and charges against the society, and, when he is satisfied that they are correct, shall present them to the president; but he shall not pay any money out of the treasury, without a written order from the president. He shall subject his accounts to such examination as the counsellors may order; he shall annually make a statement of his doings, and of the state of the funds in his hands, to the society; and he shall perform such other duties as may be assigned to him.

XXIV. The librarian shall have in his custody and charge the books, museum, instruments, and apparatus of the society. He shall keep an accurate register of the same, and arrange them in a proper manner; shall make such disposal of them, from time to time, as the counsellors may direct for the benefit of the fellows. He shall make an annual statement of the business of his department to a committee, who shall report the same to the counsellors; and he shall carefully record all donations made, in his department, to the society. He shall distribute the publications of the society in such manner as the counsellors may direct; and he shall perform such other duties as may be assigned him.

XXV. Any officer of the society may, for sufficient reasons, resign his office, or may be removed therefrom, by order of the counsellors, for neglect, inattention, or malconduct; in either of which cases, or on the death of any officer, the counsellors shall supply the office vacated, as soon as may be convenient.

#### DISTRICT SOCIETIES.

XXVI. The commonwealth shall be divided by the counsellors into medical districts, and may be from time to time subdivided or altered as circumstances may require. Each medical district shall constitute a district medical society.

XXVII. In every district medical society, there shall be annually elected a president, who shall be, *ex officio*, a vice-president of the society; a secretary, treasurer, five censors for the examination and admission of members in that district, a librarian, and such other officers as such society may see fit.

XXVIII. The censors for the Suffolk district medical society shall act for that district, and for the society at large.

XXIX. District societies may make their own regulations, provided they be not incompatible with the by-laws of the general society.

XXX. The treasurer of this society shall, in the first week of May annually, transmit to the treasurer of each district society a list of all assessments which will be due from the members of said district society on the last Wednesday of said month, with authority to collect the same, and shall charge the same to him. The treasurer of the district society shall collect the assessments within his district as soon as may be; and, if any remain unpaid on the first day of November following, he shall report the same, as delinquent, to the treasurer of this society, who shall take prompt measures to enforce payment thereof; unless there shall, in his judgment, be sufficient reason for referring the case of any delinquent fellow to the counsellors. The treasurer of the district society shall, on or before the first day of February, make a full return to the treasurer of this society, of all the assessments charged on his list, with the condition of each, whether paid or unpaid; and also transmit two-thirds of the amount collected by him. And such return and remittance shall be a

full discharge of the demand created by the charge required in the first part of this by-law. In case any district treasurer shall neglect to make his return as herein provided, he shall be liable to be proceeded against, according to law, for the whole amount of assessments charged to him on his list, provided the same do not exceed the sum which this society is authorized to fix as a penalty for a breach of its by-laws; and, if it should exceed that sum, he may be proceeded against for that sum only.

#### OF THE CENSORS.

XXXI. The censors shall hold their meetings for the admission of members as follows, viz.: — The censors of the society and of the Suffolk district, in Boston, on the Thursday next preceding the annual meeting of the society, and on the last Wednesday in January and July. The censors of the other medical districts shall hold their meetings at such time and place within the district as the several district societies shall appoint. At these meetings, three censors shall constitute a quorum, and the senior censor shall preside. Likewise, these meetings may, any of them, be continued by adjournment; and, if there be not three censors present, no vote shall be taken, except on the question of adjournment.

XXXII. Every censor who shall neglect or refuse to attend any meeting, for the examination of candidates, of the board of censors to which he belongs, without offering an excuse which shall be satisfactory to those who do attend the same, shall pay to the secretary of the board a fine of ten dollars, to be paid over to the treasurer of the society for its use.

XXXIII. The expenses incurred by any censor, while attending a meeting of the board to which he belongs, shall, upon demand within one year after such a meeting, be paid by the treasurer of this society from the funds of the society, provided that not more than two dollars be paid to any censor for each day's attendance, and provided that the meeting be not held in the town where he resides.

XXXIV. It shall be the duty of every board of censors to appoint, at their first meeting, a secretary from their own body for the ensuing year. The duty of every secretary so appointed shall be to keep a faithful record of the meeting and transactions of the board by which he is appointed; and to give immediate notice to the corresponding secretary of the society, of the organization of such board. He shall also keep a book, with the form of subscription, for the signature of those becoming members within his district; and, at the termination of the year for which he shall be appointed, he shall transmit to the corresponding secretary of the society a true copy of the records he may have made, in order that the same may be laid before the counsellors of the society.

XXXV. The meetings of the censors shall be notified in the manner following, viz.: — The secretary of each board shall advertise in two newspapers, within the medical district to which he belongs, the time and place of each meeting of that board, one month at least before the day of such meeting. This duty will devolve on the person last appointed as secretary of the censors in each district, although the meeting to take place may be that of a board elected for the ensuing year, and although he be not a member of that new board.

XXXVI. Any person having graduated as doctor of medicine at Harvard University, or at the Berkshire Medical Institution, may become a fellow of the society, by signing the by-laws in the custody of the recording secretary, or of the secretary of the censors of any one of the district societies. Any one who has graduated as doctor of medicine at any other university, college, or medical school, the course of study at which is fully equal to that prescribed by this society, shall be admitted as a fellow, on exhibiting satisfactory credentials to this effect to any board of censors, and signing the by-laws as above mentioned; and any person not having graduated as doctor of medicine may be admitted a fellow, on passing a satisfactory examination, before a board of censors, in the several branches hereafter specified, and possessing the qualifications hereafter required.

XXXVII. The candidate for examination shall have the following qualifications:—He shall be a person of sound mind, and of good moral character; shall be not less than twenty-one years of age; and shall have such an acquaintance with the Latin language, as is necessary for a good medical and surgical education, and with the principles of geometry and experimental philosophy.\* He shall have studied three full years under the direction, and shall have attended the practice, of some respectable physician or physicians; during which time he shall have attended two full courses on anatomy, physiology, chemistry, *materia medica*, midwifery, and the theory and practice of medicine and surgery.

XXXVIII. The candidate for examination, having given satisfactory evidence to the censors of possessing the qualifications referred to in the last article, shall be examined, at any stated meeting of censors, in each and all the branches mentioned in Article XXXVIII. of the by-laws, except that, if he be a graduate as bachelor or master in arts in any university, he need not be examined in the Latin language, or in the principles of geometry and experimental philosophy; and, if the result of his examination be satisfactory to the major part of the censors present at his examination, he shall be admitted a fellow of the society.

XXXIX. Any respectable practitioner of medicine or surgery who shall have been in practice not less than fifteen years, and shall have been recommended, previously to the year 1852, for admission into the society, by the district society in which he resides, may be elected a fellow by a vote of two-thirds of the counsellors present at any stated meeting.

XL. All proposals for alteration of the by-laws shall be stated in writing. Any alteration proposed by a fellow shall not be acted upon until it is referred to the counsellors, and presented anew by them.

#### FORM OF SUBSCRIPTION.

The subscribers agree to comply with the by-laws of the Massachusetts Medical Society.

\* It is understood that he be able to translate the select orations of Cicero, the *Aeneid* of Virgil, or the medical writings of Celsus, and the formulae of the *Pharmacopœia* of the United States; and that he have a knowledge of Euclid's, Playfair's, or Legendre's Elements of Geometry; and Bryan's Conversations on Experimental Philosophy, or Enfield's Elements of Natural Philosophy.

## RULES AND ORDERS OF THE SOCIETY.

1. At the annual meeting of the fellows, the following order shall be regarded in the transaction of business :—

1<sup>st</sup>, The proceedings of the last annual meeting shall be read by the recording secretary, who shall also lay before the society the records of the transactions of the counsellors in the year preceding, and shall report the names of those who have become fellows or honorary members of this society during that time.

2<sup>d</sup>, Reports of committees shall be called for by the presiding officer.

3<sup>d</sup>, Attention shall be given to any proposals for alterations in the by-laws by the counsellors, or by any fellow of the society. All proposals for alteration of the by-laws shall be stated in writing. Alterations proposed by a fellow shall be referred to the counsellors, and shall not be acted upon until presented anew by them.

4<sup>th</sup>, Attention shall be given to any scientific communications which the counsellors, or any fellow of the society, may present.

5<sup>th</sup>, Any propositions or suggestions, which may be thought conducive to the welfare of the society, or to the general interests of medical science, may be brought forward by any fellow. Upon such propositions or suggestions, the society shall decide by vote whether to engage in the consideration of the same.

6<sup>th</sup>, The president shall call upon the person appointed to deliver the annual discourse. This discourse shall be called for at one o'clock, P.M; and, if the other business be not concluded at that time, it shall be suspended until the discourse shall have been delivered.

2. On the day of the annual meeting, a dinner shall be provided, at the expense of the society, under the direction of the anniversary chairman, and the committee appointed for that purpose.

3. An invitation to the dinner may be given to such professional strangers as the president of the society, and anniversary chairman, shall think proper to notice in this manner.

4. When any fellow shall speak in a debate, he shall rise and address himself to the presiding officer.

5. If a fellow has spoken once in a debate, he shall not speak to the prevention of another, who has not spoken, and manifests a desire to speak.

6. Every fellow, as soon as he has done speaking, shall sit down.

7. A fellow shall not interrupt another while speaking, unless to call him to order, or to correct a mistake.

8. A fellow shall not speak on any subject after the question is put.

9. A motion shall not be considered unless seconded.

10. A fellow shall not nominate more than one person for the same committee, provided the first person nominated by him be chosen.

11. A vote shall not be re-considered, at the same meeting, by a smaller number than were present at its passing.

12. Literary gentlemen, interested in medical science, and students in medicine, shall be publicly invited to hear the annual discourse.

12. All printed publications shall be in the form of octavo.

## OF THE COUNSELLORS.

1. A publication shall be issued annually, under the direction of the committee on publications, as early as may be after the annual meeting; and shall be distributed by the librarian to each fellow and retired member, and to the honorary members of the society, by mail, or through the medium of the district societies. Such publications shall contain the annual discourse, unless otherwise directed by the society or the counsellors, and such other medical communications as the society or the counsellors may authorize to be published; and, in an appendix, an abstract of the

proceedings of the society and of the counsellors, comprising the record of all their transactions, excepting only such as are of a private or personal nature; a list of the officers of the society, and of each district society; and a list of those who have become fellows or honorary members, and of those who have resigned fellowship during the preceding year.

2. At the meeting of the counsellors, all nominations of the committees shall be made by the president, unless otherwise ordered.

3. At the annual meeting of the counsellors, counsellors shall be elected for those districts in which they have not been elected by district societies; also three standing committees, viz. the committee on publications, the committee on resignations, and the committee of arrangements for the anniversary.

4. At the third stated meeting of the counsellors, there shall be chosen a committee to examine the treasurer's accounts, on the week preceding the annual meeting, and a committee to examine the library and cabinet; both of which committees shall make their reports to the society at its annual meeting.

5. Resignation of fellowship may be permitted in the following cases, viz. : —

1<sup>st</sup>, When the applicant has discontinued altogether his practice as physician and surgeon, or has removed out of the commonwealth.

2<sup>d</sup>, When the applicant states that his health has been such as to prevent his engaging in his professional pursuits for a year or more; and he has not a reasonable prospect of being able to resume them.

3<sup>d</sup>, When the applicant states in writing that he has passed his sixtieth year.

6. Any person who has resigned fellowship may, on application in writing, be restored to his fellowship by the vote of the counsellors at any stated meeting.

7. Any fellow removing out of the state shall have liberty to retain his fellowship, on paying his assessment.

For the Committee,

JOHN JEFFRIES.